

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

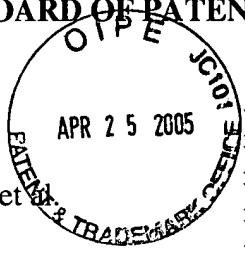
In Re Application of:

Andrew T. Busey et al.

Application No: 08/768,606

Filing Date: December 18, 1996

For: METHOD AND APPARATUS FOR  
EMBEDDING CHAT FUNCTIONS IN  
A WEB PAGE



Examiner: Alford W. Kindred

Art Unit: 2172

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF UNDER 37 C.F.R. § 41.37(a)**

This is an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 2172, dated September 24, 2004, which finally rejected claims 10-48, 66-67, and 69-97 in the above-identified application. This Appeal Brief is hereby

submitted pursuant to 37 C.F.R. § 41.37(a).

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April 21, 2005

Date

## **I. REAL PARTY IN INTEREST**

The real party in interest is the assignee of the full interest in the invention, Avaya, Inc., 211 Mount Airy Road, Basking Ridge, New Jersey, 07920.

## **II. RELATED APPEALS AND INTERFERENCES**

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

## **III. STATUS OF THE CLAIMS**

Claims 10-48, 66-67, and 69-97 are pending in the application and were finally rejected in an Office Action mailed September 24, 2004. Claims 10-48, 66-67, and 69-97 are the subject of this appeal. A copy of Claims 10-48, 66-67, and 69-97 as they stand on appeal are set forth in Appendix A.

#### **IV. STATUS OF AMENDMENTS**

No amendments have been submitted subsequent to the Final Office Action mailed September 24, 2004.

#### **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Appellant's invention as claimed in claims 10-48, 66-67, and 69-97 is directed to a user interface having browsing functionality and a chatting functionality linked with the browsing functionality. This allows a user to chat within a browser while browsing a Web page using the browser.

Independent claim 10 claims a method for embedding chat functions in a Web page, including: in response to a command received by a computer, establishing a browser region including a browser frame controlled by a browser client on a display device (Specification, page 12, lines 5-19, Figures 6-8); establishing a chat region controlled by a chat client within the browser region on the display device contemporaneously with the browser region, the chat region being a real time continuously open bi-directional communications chat region (Specification, page 11, line 25 to page 12, line 4, Figures 6-8); in response to receiving chat content including a link to a web page, the chat client effecting displaying of the chat content in the chat region (Specification, page 12, lines 20-25, Figures 4A-4J); in response to detecting selection, by a user of the display device, of the link displayed in the chat region, the chat client invoking the browser client with the link (Specification, page 13, lines 1-13,

Figures 4A-4J); and in response to the invoking, the browser client obtaining from a server the web page that corresponds to the link and displaying the obtained web page in the browser region (Specification, page13, lines 9-13, Figures 4A-4J).

Independent claim 28 claims the invention as a system. Multiply dependent claim 48 claims the invention as a computer readable medium.

## **VI. GROUNDS OF REJECTIONS TO BE REVIEWED ON APPEAL**

A. Whether claims 10-48/(10-27), 66-67, and 10/66 are patentable under 35 U.S.C. §103(a) over an article entitled “VolanoChat Java Solution Turns Ordinary Web Sites into Interactive Money Makers”, published by Business Wire, pp. 1-2 (hereinafter “Volano”) in view of U.S. Patent No. 5,572,643 of Judson (hereinafter “Judson”), U.S. Patent No. 5,862,330 of Anupam et al. (hereinafter “Anupam”), and further in view of U.S. Patent No. 5,828,839 of Moncreiff (hereinafter “Moncreiff”).

B. Whether claims 69-71 are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

C. Whether claims 72-83 are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

D. Whether claims 84, 91, and 48/(84 and 91) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

E. Whether claims 85, 92, and 48/(85 and 92) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

F. Whether claims 86-87, 93-94, and 48/(86-87 and 93-94) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

G. Whether claims 88, 95, and 48/(88 and 95) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

H. Whether claims 89, 96, and 48/(89 and 96) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

I. Whether claims 90, 97, and 48/(90 and 97) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

## VII. ARGUMENT

- A. Claims 10-48/(10-27), 66-67, and 48/66 are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 10-48/(10-27), 66-67, and 48/66 stand or fall together. Claim 10 is the representative claim. As discussed above, Appellant's invention as claimed is directed to a user interface having browsing functionality and a chatting functionality linked with the browsing functionality. This allows a user to chat within a browser while browsing a Web page using the browser.

Specifically, independent claim 10 includes limitations of establishing a browser region that includes a browser frame controlled by a browser client, establishing a chat region controlled by a chat client within the browser region contemporaneously with the browser region, where the chat region is a real-time continuously open bi-directional communications chat region. It is respectfully submitted that the above limitations are absent from the cited references.

Volano mentions the existence of a Java-based chat solution, yet provides no enablement of how it is implemented. Although Volano discloses that the chat solution works with all Java-compatible browsers, Volano still fails to disclose that a chat region is established within a browser region.

In the Office Action, the Examiner contended that "VolanoChat works with all Java-compatible browsers...can accommodate large numbers of simultaneous real-time

interactions... such as browser plug-ins, Internet chat...—page 1 of 2)” (9/24/2004 Office Action, page 2). Appellant respectfully disagrees.

As described above, although Volano mentions the existence of a Java-based chat solution, it fails to provide any enablement of how it is implemented. Specifically, Volano contends that VolanoChat is a better way to chat on the Internet, avoiding some of the problems found in the “older chat technologies, such as browser plug-ins, Internet Relay Chat (IRC), and CGI based chat”, which burden users (paragraph 5 from the bottom of page 1 of Volano). Thus, it appears that Volano does not use any of the alleged “older” technologies, but it fails to provide any enablement of how to implement the product. It is respectfully submitted that Volano fails to disclose the limitations of establishing a chat region controlled by a chat client within the browser region contemporaneously with the browser region, where the chat region is a real-time continuously open bi-directional communications chat region.

The Examiner further contended that Anupam discloses a browser client controlled by a browser frame and would have given those skilled in the art the ability to incorporate chat functions in a user’s browser (9/24/2004 Office Action, page 3). Appellant respectfully disagrees.

Although Anupam discloses a browser client, Anupam fails to disclose a chat region within a browser region. Rather, Anupam discloses displaying the information from the same Web pages to multiple users, particularly, via collaborations of the multiple users (see Abstract of Anupam). The communications among the parties involved in Anupam are not the same as chat related communications, such as, for example, a real-time continuously open bi-directional communications chat region.

Judson is related to a browser that can display information of a link (e.g., URL) (see Abstract of Judson) and is unrelated to a chat application, particularly a chat region within a browser region. At least for the reasons set forth above, it is respectfully submitted that Judson also fails to disclose the limitations set forth above.

In addition, independent claim 10 further includes limitations of receiving chat content including a link to a web page while the chat content is displayed in the chat region, invoking the browser client with the link and having the browser client obtain the web page from the server that corresponds to the link and displaying the web page. As described above, Volano fails to disclose any enablement of how to implement a chat working with a browser.

However, the Examiner contended that Moncreiff teaches such limitations (see 9/24/2004 Office Action, page 3). Appellant respectfully disagrees. Rather, Moncreiff discloses an ordinary chat application. Moncreiff fails to disclose a chat application coordinating with a browser. Specifically, Moncreiff fails to disclose receiving chat content including a link to a web page while the chat content is displayed in the chat region, invoking the browser client with the link and having the browser client obtain the web page from the server that corresponds to the link and displaying the web page.

The Examiner argued, however, that Moncreiff does describe the limitation. However, Appellant respectfully submits that Moncreiff describes creating chat rooms that correspond to media programs broadcast in real time (Moncreiff, column 3, lines 33-48). Further, Moncreiff describes a web page that provides access to chat rooms based on user specifications (Moncreiff, column 5, lines 25-45). Moncreiff merely filters and sorts what chat rooms are available to a user according to their personal settings.



Moncreiff fails to disclose “invoking the browser client” when a link is selected by a user from chat contents, as claimed in claim 10. Because selecting a chat room among various chat rooms listed on a web page is not the same as invoking a web page from within a chat session, the Appellant respectfully submits that Volano and Moncreiff alone or in combination fail to describe or suggest the limitation “in response to receiving chat content including a link to a web page ... detecting selection, by a user of the display device ... invoking the browser client ... the link and displaying the obtained web page in the browser region.”

In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the cited references set forth above, individually or in combination, fail to disclose the limitations set forth above.

Furthermore, there is no suggestion within Volano, Judson, Anupam, and Moncreiff to combine with each other. As mentioned above, although Volano discloses a chat application working with a browser, Volano fails to disclose how the chat application works with a browser, particularly, by not using any alleged “old technologies” such as plug-ins, etc. In addition, Moncreiff is not directed to the same problem that is overcome by the Appellant. Moncreiff merely filters and sorts chat rooms that are available to a user according to their personal settings. Further, Appellant respectfully submits that Anupam is also not directed to solving the same problem set forth by the present invention as claimed. Thus, one with ordinary skill in the art, based on the teaching of Volano, Judson, Anupam, and Moncreiff, would not combine these references because such a combination lacks reasonable expectation of success.

The Examiner fails to provide any motivation to combine these references (e.g., four different references) in order to render a claim obvious. It would be impermissible hindsight to use Appellant's own disclosure for such a combination. And even if these references were combined, such a combination still lacks the limitations set forth above. Therefore, independent claim 10 is patentable over Volano, Judson, Anupam, and Moncreiff.

Similarly, independent claim 28 and multiply dependent claim 48 include limitations similar to those recited in claim 10. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 28 and 48/(10-27 and 66) are patentable over the cited references. Claims 11-27, 29-47, and 66-67 depend from one of the above independent claims 10 and 28. Therefore, for at least the reasons similar to those set forth above, it is respectfully submitted that claims 11-27, 29-47, and 66-67 are patentable over the cited references.

B. Claims 69-71 are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 69-71 stand or fall together. Claim 69 is a representative claim. Claims 69-71 depend from, directly or indirectly, independent claims 10 and 28, and multiply dependent claim 48, respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 69-71 and are herein incorporated by reference. Based on at least these reasons, claims 69-71 are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, for example, claim 69 requires the additional limitations of controlling the browser region, except for contents of the chat region displayed on the display device, by a browser client, controlling contents of the chat region by a chat client, the browser client displaying web pages within the browser region contemporaneously with the chat client displaying chat text within the chat region such that the chat region and the browser region and their contents are displayed concurrently, the browser client communicating the web pages with a browser server via a first communications connection, and the chat client communicating the chat text with a chat server via a second communications connection that is a real time continuously open bi-directional communications connection. These limitations are not disclosed or suggested by Volano, Judson, Anupam, and Moncreiff, individually or in combination. Thus, claim 69 is patentable over Volano, Judson, Anupam, and Moncreiff. Similarly, claims 70-71 include limitations similar to claim 69 and thus are patentable over Volano, Judson, Anupam, and Moncreiff.

The Examiner rejected claims 69-71 based on the similar reasons of rejections of their respective base claims 10, 28, and 48 (see 9/24/2004 Office Action, page 8). Appellant respectfully disagrees. As described above, claims 10, 28, and 48 include limitations that are not disclosed by the cited references. Claims 69-71 include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective independent claims, claims 69-71 are independently patentable over Volano in view of Judson, Anupam, and

Moncreiff.

C. Claims 72-83 are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 72-83 stand or fall together. Claims 72-83 depend from, directly or indirectly, independent claims 10 and 28, and multiply dependent claim 48, respectively. The reasons cited above with respect to claims 10, 28, and 48 are applicable to claims 72-83 and are herein incorporated by reference. Based on at least these reasons, claims 72-83 are patentable over Volano in view of Judson, Anupam, and Moncreiff.

Claims 72-83 include particular user interaction between the chat region and the browser region. For example, in response to a user activation of a link within the chat region (which is displayed within the browser region), the chat region communicates with the browser region to download the Web page associated with the link and display the content of the Web page in the browser region. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 72-83 based on the similar reasons of rejections of their respective independent claims 10-27 (see 9/24/2004 Office Action, page 8). Appellant respectfully disagrees. As described above, base claims 10, 28, and 48 include limitations that are not disclosed by the cited references. Claims 72-83 include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is

respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 72-83 are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

D. Claims 84, 91, and 48/(84 and 91) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 84, 91, and 48/(84 and 91) stand or fall together. Claims 84 and 91 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 84, 91, and 48/(84 and 91), and are herein incorporated by reference. Based on at least these reasons, claims 84, 91, and 48/(84 and 91) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

Claims 84, 91, and 48/(84 and 91) include additional limitations where the received chat content is a chat content of a first chat session and the displayed web page includes a link to a second chat session, and where the method further includes in response to detecting selection by the user of the link to the second chat session in the displayed web page, receiving and displaying in the chat region a chat content of the second chat session. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 84 and 91 based on the similar reasons of rejections of

their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8).

Appellant respectfully disagrees. As described above, claims 10,28, and 48/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 84, 91, and 48/(84 and 91) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 84, 91, and 48/(84 and 91) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

E. Claims 85, 92, and 48/(85 and 92) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 85, 92, and 48/(85 and 92) stand or fall together. Claims 85 and 92 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 85, 92, and 48/(85 and 92), and are herein incorporated by reference. Based on at least these reasons, claims 85, 92, and 48/(85 and 92) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, claims 85, 92, and 48/(85 and 92) include limitations of displaying a chat content of a first chat session in the chat region, simultaneously displaying a web page

including a link to a second chat session in the browser region, and in response to detecting selection by the user of the link to the second chat session in the displayed web page, ceasing to receive and display in the chat region the chat content of the first chat session and instead receiving and displaying in the chat region a chat content of the second chat session. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 85 and 92 based on the similar reasons of rejections of their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8).

Appellant respectfully disagrees. As described above, claims 10, 28, and 10/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 85, 92, and 48/(85 and 92) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 85, 92, and 48/(85 and 92) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

F. Claims 86-87, 93-94, and 48/(86 -87 and 93-94) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 86-87, 93-94, and 48/(86-87 and 93-94) stand or fall together. Claims 86-87 and 93-94 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 86-87, 93-94, and 10/(86-87 and 93-94), and are herein incorporated by reference. Based on at least these reasons, claims 86-87, 93-94, and 48/(86-87 and 93-94) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, claims 86-87, 93-94, and 48/(86-87 and 93-94) include limitations of, for example, in response to detecting selection by the user of a target, requesting from at least one server a chat content of a chat session associated with the target and a web page associated with the target, in response to the request, receiving from the at least one server the chat content of the chat session associated with the target and the web page associated with the target, and in response to the receiving, displaying the chat content of the chat session associated with the target in the chat region and simultaneously displaying the web page associated with the target in the browser region. The selection may be detected via a user input or a selection of a link in the chat content within the chat region. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 86-87 and 93-94 based on the similar reasons of rejections of their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8). Appellant respectfully disagrees. As described above, claims 10, 28, and 48/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 86-87, 93-94, and 48/(86-87 and 93-94) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of



the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 86-87, 93-94, and 48/(86-87 and 93-94) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

G. Claims 88, 95, and 48/(88 and 95) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 88, 95, and 48/(88 and 95) stand or fall together. Claims 88 and 95 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 88, 95, and 48/(88 and 95), and are herein incorporated by reference. Based on at least these reasons, claims 88, 95, and 48/(88 and 95) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, claims 88, 95, and 48/(88 and 95) include limitations of, for example, receiving a chat content of a first chat session at both the first display device and a second display device distinct from the first display device, in response to the receiving, both display devices displaying the received chat content of the first chat session, in response to detecting one of the user of the first display device or a user of the second display device invoking a follow command and a first target, both display devices receiving and displaying a chat

content of a second chat session associated with the first target and a web page associated with the first target, and in response to detecting another of the user of the first display device or the user of the second display device invoking a stop command followed by the one user selecting a second target, the display device of the one user receiving and displaying a chat content of a chat session associated with the second target and a web page associated with the second target while the display device of the other user continues to receive and display the chat content of the chat session associated with the first target and the web page associated with the first target. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 88 and 95 based on the similar reasons of rejections of their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8).

Appellant respectfully disagrees. As described above, claims 10, 28, and 48/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 88, 95, and 48/(88 and 95) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 88, 95, and 48/(88 and 95) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

H. Claims 89, 96, and 48/(89 and 96) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 89, 96, and 48/(89 and 96) stand or fall together. Claims 89 and 96 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 89, 96, and 48/(89 and 96), and are herein incorporated by reference. Based on at least these reasons, it is respectfully submitted that claims, 96, and 48/(89 and 96) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, claims 89, 96, and 48/(89 and 96) include limitations of, for example, receiving a chat content of a first chat session at both the first display device and a second display device distinct from the first display device, in response to the receiving, both display devices displaying the received chat content of the first chat session, in response to detecting one of the user of the first display device or a user of the second display device invoking a suggest command and a first web page, both display devices receiving and displaying the first web page while continuing to receive and display the chat content of the first chat session. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 89 and 96 based on the similar reasons of rejections of their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8).

Appellant respectfully disagrees. As described above, claims 10, 28, and 48/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 89, 96, and 48/(89

and 96) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective base claims, claims 89, 96, and 48/(89 and 96) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff.

I. Claims 90, 97, and 48/(90 and 97) are patentable under 35 U.S.C. §103(a) over Volano in view of Judson, Anupam, and Moncreiff.

Claims 90, 97, and 48/(90 and 97) stand or fall together. Claims 90 and 97 depend from, directly or indirectly, independent claims 10 and 28 respectively. The reasons cited above with respect to claims 10, 28, and 48/(10-27 and 66) are applicable to claims 90, 97, and 48/(90 and 97), and are herein incorporated by reference. Based on at least these reasons, it is respectfully submitted that claims 90, 97, and 48/(90 and 97) are patentable over Volano in view of Judson, Anupam, and Moncreiff.

In addition, claims 90, 97, and 48/(90 and 97) include limitations of, for example, receiving a chat content of a first chat session at both the first display device and a second display device distinct from the first display device, in response to the receiving, both display devices displaying the received chat content of the first chat session, in response to detecting one of the user of the first display device or a user of the second display device invoking a

move command and a first target, the display device of another of the user of the first display device or the user of the second display device receiving and displaying a chat content of a second chat session associated with the first target and a web page associated with the first target, while the display device of the one user continues to receive and display the chat content of the first chat session. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

The Examiner rejected claims 90 and 97 based on the similar reasons of rejections of their respective base claims 10-22 and 28-32 (see 9/24/2004 Office Action, page 8).

Appellant respectfully disagrees. As described above, claims 10, 28, and 48/(10-27 and 66) include limitations that are not disclosed by the cited references. Claims 90, 97, and 48/(90 and 97) include additional limitations set forth above that are also absent from the cited references. In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references. It is respectfully submitted that the above limitations are absent from Volano, Judson, Anupam, and Moncreiff, individually or in combination.

Therefore, in addition to the reasons applied to their respective independent claims, claims 90, 97, and 48/(90 and 97) are independently patentable over Volano in view of Judson, Anupam, and Moncreiff. Withdrawal of the rejections is respectfully requested.

## VIII. CONCLUSION

For the reasons stated above, claims 10-48, 66-67, and 69-97 are patentable under 35 U.S.C. § 103(a) over Volano in view of Judson, Anupam, and Moncreiff. Appellant respectfully requests that the Board reverse the rejections of the claims 10-48, 66-67, and 69-97 under 35 U.S.C. § 103(a) and direct the Examiner to enter a Notice of Allowance for claims 10-48, 66-67, and 69-97.


Enclosed is a check in the amount of \$500.00 to cover the fee for filing a brief in support of an appeal as required under 37 C.F.R. § 1.17(c) and 41.20(b)(2).

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: April 21, 2005

  
Kevin G. Shao  
Attorney for Appellant  
Registration No. 45,095

Customer No. 008791  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300